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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,359	08/08/2001	Byoung Wook Kim	K-0311	2866
34610	7590	10/02/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			VAN BRAMER, JOHN W	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/923,359	Applicant(s) KIM ET AL.	
	Examiner John Van Bramer	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-9, 18 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-9, 18 and 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on July 10, 2006 has cancelled claims 1-4, 10-17, and 19-29. Claims 5, 7, 8, 18, 30, and 32-35 have been amended. No new claims were added. Thus, the currently pending claims addressed below are Claims 5-9, 18, and 30-35.

Specification

2. The amendment filed on July 10, 2006 contained an amended abstract that overcomes the objections raised in the Office Action dated March 10, 2006. Thus, the amended abstract has been accepted and entered.

Claim Objections

3. The amendment filed on July 10, 2006 has overcome the objections to Claims 5, and 18 – 20 raised in the Office Action dated March 10, 2006. Therefore, the objection is hereby withdrawn.
4. The amendment filed on July 10, 2006 has failed to overcome the objection to Claims 7 and 8 raised in the Office Action dated March 10, 2006. Therefore, this objection is hereby maintained because Claim 6 does not require that current traffic conditions and information of each road in the region is collected. Therefore, Claims 7 and 8 fail to further limit Claim 6.

Claim Rejections - 35 USC § 112

5. The amendment filed on Jul 10, 2006 failed to correct the 35 U.S.C. 112 rejection of Claim 35 raised in the Office Action dated March 10, 2006. Therefore the rejection is maintained.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 5 – 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Schreder (U.S. Patent Number: 5,504,482).
- Claim 5: Schreder discloses an operating method of an informative service system comprising:
- a. Continuously confirming the location of a client's mobile phone set to receive various services. (Col 7, lines 37-47; and Col 12, lines 11 – 38) (The disclosed system includes a cellular telephone system and therefore the entire system is definable as a mobile phone with additional enhanced features.)
 - b. Collecting special information required for supply of traffic information in a region through a local content provider network constructed in the region

when it is confirmed through a pilot signal transmitted from the client's mobile phone that the client's mobile phone enters the region. (Col 10, lines 35 – 62)

- c. Transmitting the collected information to the client's terminal. (Col 10, lines 35 – 62)

Claim 6: Schreder discloses the method according to claim 5, wherein the special information is at least one of information effective only in the corresponding region, information of the current traffic conditions in the region, information of each road in the region and information of the current conditions of each road. (Col 10, lines 54 – 67 and Col 13, lines 15 – 37)

Claim 7: Schreder discloses the method according to claim 6, wherein when the special information includes information of each road in the region, the information of the current traffic conditions in the region further comprises information under a traffic control condition. (Col 10, lines 54 – 67 and Col 13, lines 15 – 37)

Claim 8: Schreder discloses the method according to claim 6, wherein when the special information includes information of each road in the region, the information of each road further comprises information of driving speed limit, information of no-parking areas, information of one-way traffic and map data of the above information. (Col 13, lines 38 – 57 and Col 6, lines 44 – 56)

Claim 9: Schreder discloses the method according to claim 6, wherein information of the current traffic conditions is information of road conditions due to road construction in the corresponding region and map data of the above information.
(Col 13, lines 38 – 57 and Col 6, lines 44 – 56)

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 18 and 30 – 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan et al. (U.S. Patent Number: 5,959,577).

Claim 18: Fan discloses an operating method of an informative service system for providing requested information to an owner of a mobile phone comprising:

- a. Requesting special information within a region by the owner of a mobile phone entering the region, the request being through an Internet connection using the mobile phone through a base station. (Col 9, line 49 through Col 10,

- line 21) (The disclosed invention is able to be operated over a cellular telephone network and is mobile, therefore, it is a mobile phone.)
- b. Receiving the request for special information through a server network from the mobile phone. (Col 3, lines 11 – 46; and Col 5, line 53 through Col 6, line 32)
 - c. Confirming the present position of the owner's mobile phone by the server network by confirming the base station through which the mobile phone is connected through a channel connected with the mobile phone. (Col 3, lines 11 – 46) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
 - d. Searching for the requested information at a local content provider network from information stored on the basis of information received from the server network. (Col 3, lines 11-46; and Col 4, line 66 through Col 5, line 21)
 - d. Transmitting data of the requested information to the local CP network. (Col 3, lines 11 – 46)

Claim 30. Fan discloses an information service system comprising:

- a. A database storing information of a standard location registered by the client using a mobile phone, information of critical value of a difference in time and space from the standard location and information related with services

provided according to the difference in time and space. (Fan: Col 4, lines 41 - 54)

- b. Position confirming means for grasping the present position of the client by confirming a base station through which the mobile phone is connected through a channel connected with the mobile phone. (Fan: Col 3, lines 11-46; and Col 3, line 46 through Col 4 line 40) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- c. Time measuring means for counting time exceeding the critical value from the standard location registered by the client. (Fan: Col 4, lines 55 – 65)
- d. Information obtaining means for obtaining information of services set according to the difference in time and space confirmed by the position confirming means and the time measuring means. (Fan: Col 2, line 60 through Col 3, line 16)
- e. Information transmitting means for transmitting the obtained information to a an Internet Protocol of a mobile phone of a client. (Fan: Col 5, lines 15 – 20; and Col 6, lines 6-40)

Claim 31. Fan discloses the system according to claim 30, wherein all of the means are constructed according to the environment of a mobile communication system based on various networks. (Fan: Col 2, lines 60 – 67)

Claim 32. Fan discloses an operating method of an informative service system comprising:

- a. Registering a standard location by a client using a mobile phone. (Col 6, lines 49 – 61)
- b. Continuously confirming the present position of the client by confirming the base station through which the mobile phone of the client is connected through a channel connected with the mobile phone. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- c. Confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location. (Col 6, lines 49 – 61)
- d. Performing a service set according to an exceeded difference if the confirmed difference in time and space exceeds a critical value of a set difference in time and space. (Col 6, lines 49 – 61)

Claim 33. Fan discloses the method according to claim 32, wherein the confirming the present position of the client is performed according to a period for confirming the set present position or performed according to a request of the client. (Col 3, lines 11 – 46)

Claim 34. Fan discloses the method according to claim 32, wherein the confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location is performed by confirming whether or not the client is out of the set critical distance from the initially registered standard location. (Col 6, lines 49 – 61)

Claim 35. Fan discloses the method according to claim 32, wherein the service set according to the exceeded difference comprises service for providing at least one of information of various e-mails received from the registered standard location to the client's account at a time point exceeding the critical value of the set difference in time and space, information of available restaurants at a location where the client is located if it is a mealtime, and information of traffic for returning the client to the standard location. (Col 6, line 62 through Col 7, line 20)

Response to Arguments

10. Applicant's arguments filed on July 10, 2006 have been fully considered but they are not persuasive. The applicant arguments regarding the newly amended claims are addressed in the office action above. The remaining arguments are addressed below.

- a. The applicant argues that Fan et al. does not disclose a database storing information of a standard location registered by the client using a mobile phone.

The applicant also argues that Fan et al. does not disclose a database storing information of critical value of a difference between time and space from a standard location and information related with services provided according to the difference in time and space. The examiner asserts that Fan et al. Col 4, line 10 through Col 5, line 21 disclose discloses a database that stores a position, and a destination which are equivalent to the current metes and bounds of the claim.

- b. The applicant argues that Fan et al. does not disclose for a means for counting time exceeding the critical value from a standard location. However, the timestamp disclosed in Fan et al is one such means for counting time exceeding the critical value from a standard location.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory

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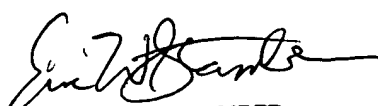
period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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